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JUL 10 2012

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET No. 2012-203-E

PSC SC
MAIL/DMS**IN MATTER OF:**

Petition of South Carolina Electric & Gas Company
for Updates and Revisions to Schedules Related to
the Construction of a Nuclear Base Load
Generation Facility at Jenkinsville, South Carolina

**REPLY TO SCANA LETTER DATED 2012-5-5 IN
THE MATTER OF
MOTION TO RECONSIDER PSC DIRECTION TO
THE PETITION TO INTERVENE**

After reviewing and verifying the merit of SCANA letter to the Honorable Jocelyn Boyd dated 2012 May 5, I, Joseph Wojcicki – petitioner, have found in general and in details:

1. Interesting /distinctive is that in SCANA/SCE&G "letter-response" there is nothing about the shareholders' rights and arguments against Wojcicki's Petition, Motion (ID: 237357 dated 2012-6-25) and Affidavit. In any of their serious arguments -they should indicate specific rules and/or regulations forbidding any intervention from their shareholders. We have to assume that such [negative] **rules do not exist.**
2. Introducing via misleading the Commission cited [irreverent] cases they still enjoy repeating them as bald and/or factually unsupported terms: "(a) *concrete* [very much present in electric grid economy and listed in the Affidavit] *and particularized* [see also Affidavit] *or (b) actual* [e.g. still no water permits for cooling] *or imminent* [continues cost increase in economical hardship];". Decision making bodies shall see them anyway as existing in the scope of e.g. shareholders' rights living in 50-mile radius area. Legal team of SCE&G seems to be happy of results of misleading Commission just to repeating these terms w/o serious explanations of their misleading reasons. SCE&G ignores here entirely Wojcicki's affidavit without even mentioning it.
3. Energy [kWh] rates in the Southeast grid are interconnected therefore Wojcicki's lack of SCE&G monopole "membership"[i.e being a customer], especially comparing to "stock ownership" is irreverent as an argument created for this "secrecy" purpose only. It *de facto* does not fulfill all factors even from the cited terms. It is a childish argument to be or not to be SCE&G customer because it is irrelevant if Wojcicki pays directly or indirectly to SCE&G bank account. The Generator Electricity collects dollars for its product. In doing serious analysis of financial / investing matters (as SCE&G wants to discuss in 2012-203-E and 2012-186-E), nobody has rights to eliminate / disrespect / ignore technical / engineering / safety installations. Please, acknowledge here **my high respect to SCE&G operational crews!**
4. Several problems SCANA / SCE&G legal team already created themselves by doing unnecessary maneuvers in the licensing process *inter alia* getting partial approvals without supporting sets of permits, e.g. in the case of cooling water. Suggesting "Commission's discretions [in denying Wojcicki's intervenor status without serious arguments]" now, seems that Company moves

future problems to the SC State and Public Interest Authorities' responsibilities, including serious accusation of the criminal negligence. The warning for Electrical Utilities [ones getting blind approval from authorities] comes, in last days, from Prime Minister of Japan who concluded that Fukushima Daiichi disaster was *"man-made and could be prevented and where the TEPCO Company is blamed"*.

5. The report said [about Ignorance, Arrogance]: *"...the commission found evidence of "collusion" between Tokyo Electric and regulators... Tokyo Electric also exploited its cozy relationship with regulators to take the teeth out of regulations". and "Across the board, the Commission found ignorance and arrogance unforgivable for anyone or any organization that deals with nuclear power,"* the report said. (<http://www.businessweek.com/news/2012-07-05/fukushima-nuclear-disaster-was-man-made-investigation-rules>) *"The six-month independent investigation, the first of its kind with wide-ranging subpoena powers in Japan's constitutional history, held public hearings with former Prime Minister Naoto Kan and Tokyo Electric's ex-President Masataka Shimizu, who gave conflicting accounts of the disaster response."* Their reactors were US design. *"The utility known as Tepco can't use the government as a scapegoat as its own information disclosure through the disaster was lacking, the report said"*
6. SCE&G uses in their letter adjective "hypothetical [claims]" which must be now [after Fukushima] used reversely to several elements in their project to review *de novo* this technical part that applies to SC natural resources being in full responsibility of PSC/ORS. Pro-nuclear scientists are seriously concerned here even SCE&G has long lasting expertise and professionals in operation of Unit 1.
7. There are obvious problems in the construction works that will have monetary increase in final costs, economical effectiveness of entire investment – something that affects not only their customers and should be in stockholders and SC public authorities focus. It seems this was to be a reason to cancel 2012-90-E - to postpone the review and move it to new docket 2012-203-E. Again, please note that SCE&G has not objected Wojcicki's intervention in this previous docket.
8. There is nothing "guaranteed of safety". In the future (today predicted to be too late) NRC inspectors may even stop entire investment and/or create financial and social high inconvenience to people living in 50-mile radius. COL was not given unconditionally, was it?
9. At this moment SCE&G has no permits according to Water and Air Pollution Acts, or does Company "hypothetically" have them?
10. Lack of detailed responses for Wojcicki's Motion creates high probability of "that something is hidden" from stakeholders because customers are under the monopolistic regime without escape options. In the after - Fukushima situation, all matters before PSC may not be divided for pieces just to cover –up any of possible wrong decisions in this complex project with such high risks and introduced new technical concepts and seem to be a weak side of SCE&G legal team. Or there are visible problems in technical solutions, especially these out of NRC present focus and being forced into state authorities and PSC responsibility. It is very possible to avoid any possible criminal negligence aspects in spending of billions in present economic situations.
11. In general – it is so strange that Wojcicki's many-hours [2008-2009] of works as a technical verifier of the original design instead "thank you" creates such hostile atmosphere taking his

another more hours for such "legal controversies". Of course, SCE&G legal team is paid vs. unpaid Wojcicki's citizens' good will and knowledge.

I, Petitioner Wojcicki, reserve rights to work in behalf of public interest and their and national serious interest in Nuclear Renaissance expecting PSC to allow my knowledge to be used fully in this docket. "To bury one's head in the sand will not work". PSC / ORS could give this "smart" opportunity by approving my Petition to Intervene.

Respectfully submitted,

Joseph Wojcicki – MSEE / energy consultant

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Columbia, Tuesday, July 10, 2012